

Message

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**Sent:** 12/14/2018 6:13:00 PM  
**To:** R1 Executives All [R1ExecutivesALL@epa.gov]; R1 Communications Team [R1\_Communications\_Team@epa.gov]  
**Subject:** New England Congressional Delegation Capitol Hill Update | Friday, Dec 14, 2018

**New England Congressional Delegation  
Capitol Hill Update**

Office of Public Affairs  
Friday, Dec 14, 2018

**ANNOUNCEMENTS**

EPA OIG Report | EPA's Water Infrastructure Finance and Innovation Act Program Needs Additional Internal Controls.

Waters of the U.S. | Dec 11, several state officials, including Ag Commissioners from KY, ME, and AR, along with ECOS and NASDA staff, participated in an event with EPA, Interior, and the Army regarding a new proposed definition of "waters of the U.S." On Dec 10, scores of state and local officials from across the country participated in a conference call sponsored the White House Office of Intergovernmental Affairs and led by Acting Administrator Andrew Wheeler and AA for Water David Ross.

National Conference of State Legislatures Annual Capital Forum | State legislators from around the country met in Washington from Dec 5-7 for NCSL's Capital Forum. The Natural Resources & Infrastructure Committee, Chaired by Rep. Andrew McLean (Maine), met on Dec 6. The committee passed a resolution supporting federal motor vehicle emission standards, along with increased flexibility for states in implementing those standards. Additional resolutions were considered related to agriculture; a resolution on renewable energy was tabled until the Annual Summit in August.

OCIR's Land, Response and Enforcement Team is responding to a staff inquiry from Rep. Jim Himes' Office re: brownfields grants. EPA R1 also provided information to the Representative's Office.

HR 2 | Conaway (TX), 2018 Farm Bill, includes provisions impacting EPA pesticides program, Conference Report passed Senate Dec 11, Passed House Dec 12, awaiting President's signature. There are no co-sponsors of this legislation.

OCIR's Air Team is supporting a call with the Acting Administrator and Senator Collins on RFS issues.

**Hearings**

Dec 5 | Discussion Draft: The 21st Century Transportation Fuels Act  
House Energy and Commerce Subcommittee on Environment.

Dec 6 | Preparing for Maritime Transportation in a Changing Arctic  
Senate Commerce, Science, and Transportation Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard.

Dec 11 | 21st Century Transportation Fuels Act  
House Energy and Commerce Subcommittee on Environment.

Dec 12 | Examining 'Backdoor' Spending by Federal Agencies  
House Oversight and Government Reform Subcommittee on Intergovernmental Affairs.

Dec 12 | Federal Information Technology Acquisition Reform Act (FITARA) Scorecard 7.0.  
House Oversight and Government Reform Subcommittees on Information Technology and Government Operations.

## Appropriations

The Agency is currently under a CR that is set to expire on December 21.

## LEGISLATION

115<sup>th</sup> Congress | Jan 3, 2017, to Jan 3, 2019

### New England Delegation Legislation with Recent Activity

H.R. 7284 | Kildee (MI)/Bergman (MI)/Dingell (MI)/Levin (MI)/Welch (VT)/Huffman (CA), PFAS Detection Act, Requires national USGS PFAS sampling effort

This is a companion to S. 3382 | Stabenow (MI), PFAS Detection Act of 2018

S.3664 | Merkley (OR)/Whitehouse (RI), Bill to amend the Clean Air Act to create a national zero-emission vehicle standard

H.R.7140 | Jayapal (WA)/Cicilline (RI), Anti-Corruption and Public Integrity Act

H.R.7167 | Lieu (CA)/Cicilline (RI), Restoring the Public Trust Act

### New England Delegation Legislation with No New Activity

S.97 | Crapo (ID)/Whitehouse (RI)/Booker (NJ)/Risch (ID)/Hatch (UT)/Murkowski (AK)/Durbin (IL), Nuclear Energy Innovation Capabilities Act of 2017

House passed this bill on Sep 13, 2018.

S.519 | Gillibrand/Schumer (NY), requires SDWA MCLG and MCL for PFOA, PFOS, 1,4 dioxane, and perchlorate within two years

To amend the Safe Drinking Water Act to require the Administrator of the EPA to establish maximum contaminant levels for certain contaminants, and promulgate a national primary drinking water regulation. Cosponsors: Schumer (NY), Hassan (NH).

S.675 | Gillibrand (NY), Long Island Sound Funding

To amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship. Cosponsors: Schumer (NY), Blumenthal (CT), Murphy (CT).

S.914 | Shaheen (NH)/Portman (OH), Enhances Federal Coordination and State Assistance for Emerging Contaminant Testing and Analysis

Also called "Safe Drinking Water Assistance Act of 2017." Cosponsors: Portman (OH), Hassan (NH).

S.1089 | Portman (OH)/Shaheen (NH), Require Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

S.1713 | Shaheen (NH)/Collins (ME), Reed (RI), Investing in State Energy Act.

S.1769 | Hassan (NH), Connected Government Act

Requires a federal agency that creates or updates a public website ensure that it is mobile friendly.

S.1979 | Murphy (CT) A bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States

Introduced on Oct 18 with 30 co-sponsors. Two additional co-sponsors added Wyden (OR), Udall (NM).

S.2198 | Booker (NY)/Menendez (NJ)/Whitehouse (RI), Superfund Polluter Pays Restoration Act of 2017

To amend the IRS of 1986 to reinstate the financing for the Hazardous Substance Superfund.

S.2321 | Warren (MA), Transition Team Ethics Improvement Act

Amend Presidential Transition Act of 1963 to require the development of ethics plans for certain transition teams, and for other purposes. Cosponsors: Hassan (NH), Markey (MA).

S.2232 | King (ME), Amend the Public Utility Regulatory Policies Act of 1978

Provide for the integration of distributed energy resources, to modernize electricity grid infrastructure. On Dec 14, the bill was read twice and referred to the Committee on Energy and Natural Resources.

S.2298 | Whitehouse (RI), New England Coastal Protection Act

To prohibit oil and gas leasing on the Outer Continental Shelf off the coast of New England. Co-sponsors: Markey (MA), Hassan (NH), Shaheen (NH), Reed (RI), King (ME), Warren (MA), Blumenthal (CT), Collins (ME), Murphy (CT).

S.2368 | Whitehouse (RI)/Schatz (HI), 1986 IRS Code

To amend the IRS code to provide for carbon dioxide and other greenhouse gas emission fees, reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes.

S.2388 | Sanders (VT)/Harris (CA)/Markey (MA)/Gillibrand (NY), Nuclear Plant Decommissioning Act of 2018

To provide for consultation with state, tribal, and local governments, and approval of post-shutdown decommissioning activities reports by the Nuclear Regulatory Commission.

S.2396 | Harris (CA)/Sanders (VT)/Markey (MA)/Gillibrand (NY), Amend Atomic Energy Act of 1954

To prohibit waivers/exemptions from emergency preparedness and response and security regulations.

S.2422 | Warren (MA), Require a Study on the Health Impacts of Air Traffic Noise and Pollution

Co-sponsored by Markey (MA).

S.2472 | Nelson (FL)/Collins (ME), Coastal Coordination Act of 2018

To reauthorize the Coastal Management Act of 1972.

S.2602 | Barrasso (WY)/Whitehouse (RI)/Capito (WV)/ Heitkamp (ND), Carbon Dioxide Utilization and Direct Air Capture Research

A bill to support carbon dioxide utilization and direct air capture research, to facilitate development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines. Two additional original co-sponsors. A sister House bill has also been introduced [H.R.5387](#). On May 22, 2018, the Senate Environment and Public Works Committee (SEPW) passed by voice vote the "Utilizing Significant Emissions with Innovative Technologies (USE IT) Act.". The bill would direct EPA to support carbon utilization and air capture research and require the White House Council on Environmental Quality to establish guidance on CO2 pipelines and clarify that carbon removal projects qualify under the permitting review process established by the 2015 Fixing America's Surface Transportation (FAST) Act. The USE IT Act was changed since its legislative hearing in order to gain the support of SEPW ranking member, Sen. Carper. According to Sen. Carper, new text adds environmental safeguards and public notice and comment periods for any guidance produced by CEQ on permitting, would require EPA to consult with the Department of Energy to avoid program duplication, and would direct CEQ to produce a report assessing regulatory gaps and providing permitting process information for project developers. Sep 27, 2018 Update: Moving toward introduction of a companion House bill. Oct 17, 2018 Update: Bill is under consideration for unanimous consent in the Senate.

S.2612 | Markey (MA), To Establish a Clean Technology Consortia

A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes.

S.2643 | Markey (MA)/Whitehouse (RI)/Van Hollen (MD)/Smith (MN)/Blumenthal (CT)/Merkley (OR)/ Bennet (CO), Greener Air Standards Mean Our National Security, Environment, and Youth Saved Act

A bill to clarify the effect of certain final rules and determinations of EPA relating to greenhouse gas emissions standards for light-duty vehicles.

S.2649 | Whitehouse (RI) Natural Gas Demand Response Pilot Program

A bill to require the Secretary of Energy to establish a natural gas demand response pilot program.

S.2719 | Shaheen (NH), Requires VA Registry of Service Members Potentially Exposed to PFAS

Four co-sponsors, including Hassan (NH).

S.2740 | Markey (MA)/Warren (MA)/Shaheen (NH)/Sanders (VT), Authorize NOAA to establish a Climate Change Education Program

Five additional original co-sponsors.

S.2747 | Hassan (NH)/ Markey (MA)/Shaheen (NH)/Sanders (VT), S.2747 | National Evaluation of Techniques for Making Energy Technologies More Efficient and Resilient Act of 2018

Bill to provide for the study and evaluation of net metering, and for other purposes.

S.2865 | Baldwin (WI)/Smith (MN)/Merkley (OR)/Sanders (VT)/Murphy (CT)/Blumenthal (CT)/Durbin (IL), Made in America Act of 2018

To ensure that certain materials used in carrying out Fed infrastructure aid programs are made in US. Whitehouse (RI) was an additional co-sponsor.

S.2886 | Markey (MA), Amend Energy Policy and Conservation Act to reinstate ban on export of crude oil and natural gas produced in the United States.

S.3151 | Hirono (HI)/Warren (MA)/Reed (RI)/Whitehouse (RI)/Blumenthal (CT) Sanders (VT) Markey (MA)/Hassan (NH)/ Shaheen (NH)/ Leahy (VT), A bill to secure the rights of public employees to organize, act concertedly, and bargain collectively, which safeguard the public interest and promote the free and unobstructed flow of commerce, and for other purposes.

23 additional original co-sponsors.

S.3154 | Wyden (OR)/ Sanders (VT), Bill to ensure Members of Congress have access to Federal facilities in order to exercise their Constitutional oversight responsibilities

One additional original co-sponsor.

S.3192 | Markey (MA)/Sanders (VT)/Whitehouse (RI), CLEARR Drinking Water Act

Increases funding for small/disadvantaged community WIIN grant program and addresses drinking water technical assistance, testing, reporting, and notification. Nine additional original co-sponsors.

S.3312 | Merkley (OR)/Markey (MA), A bill to suspend proposed rulemaking signed by former Administrator of the Environmental Protection Agency Scott Pruitt, and for other purposes.

S.3355 | Blumenthal (CT), Bill to amend title 38, United States Code, to remove the manifestation period required for the presumptions of service connection for chloracne, porphyria cutanea tarda, and acute and subacute peripheral neuropathy associated with exposure to certain herbicide agents.

S.3376 | Smith (MN)/King (ME), Advancing Grid Storage Act of 2018.

S.3398 | Carper (DE)/Hirono (HI)/Warren (MA)/Peters (MI), Bill to require repayment of wasteful agency spending, and for other purposes

S.3422 | Murkowski (AL)/Whitehouse (RI), Nuclear Energy Leadership Act.

S.3498 | Sanders (VT), Bill to designate Federal election day as a public holiday.

S.3508 (formerly S.756) | Sullivan/Whitehouse ("Save Our Seas") amending the Marine Debris Act Combined with two other bills (Marine Safety, and (Blue Technology) Center of Expertise), and subsequently Enrolled. Became a Law - Signed by the President on Oct 11, 2018.

S.3604 | Klobuchar (MI)/Risch (ID)/Shaheen (NH)/Burr (NC), A bill to require a study to determine the best available estimate of the total amount of nonhighway recreational fuel taxes received by the Secretary of the Treasury.

H.R. | Shuster (PA), House T&I infrastructure bill, including WIFIA, CWSRF, CWA 401, and nonpoint source funding provisions

Discussion draft introduced Jul 23. Since this is a draft we don't know who will be listed as an original co-sponsor.

H.R.723 | Kinzinger (IL)/ Welch (VT), Energy Savings Through Public-Private Partnerships Act of 2017

Six additional cosponsors. Feb 23, placed on the Union Calendar, Calendar No. 435.

H.R.1176 | Pingree (ME) Keep America's Waterfronts Working Act

Amends Coastal Zone Management Act of 1972 to direct NOAA to establish a Working Waterfront Grant Program. Cosponsors: Wittman (VA), Keating (MA).

H.R. 1674 | DeLauro (CT), Long Island Sound Restoration Reauthorization

Reauthorizes the Management Conference of the LIS Study, the LIS Stewardship Act of 2006, the LIS Grants, and LIS Stewardship Grants through FY23. Cosponsors: Zeldin (NY), Suozzi (NY), Courtney (CT), Himes (CT), Esty (CT), Larson (CT), King (NY), Engel (NY).

H.R. 1758 | Katko (NY)/Esty (CT); The Brownfields Reauthorization Act of 2017

Would reauthorize the Brownfields program at EPA. 7/27/17 was reported by the House Committee on Transportation and Infrastructure. Cosponsors: Katko (NY), DeFazio (OR), Napolitano (CA). On Nov 21, the House Report was amended by the Committee on Transportation and Infrastructure. H. Rept. 115|419, Part I.

H.R.4209 | Larson (CT) Rebuild Nation's Infrastructure, Provide Consumer Rebate, Assist Coal Country, Reduce Harmful Pollution 16 Cosponsors including Capuano (MA).

H.R.4774 | Cicilline (RI) New England Coastal Protection Act

Co-sponsored by: Capuano (MA), Clark (MA), DeLauro (CT), Esty (CT), Himes (CT), Keating (MA), Kennedy (MA), Kuster (NH), Langevin (RI), Larson (CT), Lynch (MA), McGovern (MA) Moulton (MA), Neal (MA), Pingree (ME), Shea-Porter (NH), Tsongas (MA), Welch (VT), Poliquin (ME), Courtney (CT).

H.R.4812 | Cicilline (RI), 21st Century Buy American Act

To amend the Buy American Act to provide greater transparency regarding exceptions to domestic sourcing requirements, and for other purposes.

H.R.4926 | Blumenauer (OR)/Cicilline (RI), American Opportunity Carbon Fee Act of 2018

To amend the IRS Code of 1986 to provide for carbon dioxide and other greenhouse gas emission fees, reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes.

H.R.4976 | Welch (VT), Empowering State Forestry to Improve Forest Health Act of 2018

Amends Cooperative Forestry Assist. Act of 1978 to direct Forest Service to establish a landscape-scale restoration program to provide financial and tech assistance for landscape-scale restoration projects on state and private forest lands that maintain or improve benefits from trees and forests on such lands.

H.R.4992 | Esty (CT), NOTICE Act of 2017

To amend CAA to direct permitting authorities to notify municipalities within 30 miles of a source of certain permit applications and proposed permits, and for other purposes. *(This legislation is in response to the new Cricket Valley Energy Center in Dover Plains, NY, which is close the CT state border – OEP's Donald Dahl provided some excellent to info Esty's office re: current notification requirements.)*

H.R.5015 | Blumenauer (OR)/McGovern (MA)/Tsongas (MA)/ Clark (MA)/Kuster (NH)/ DeLauro (CT)/Esty (CT)/Shea-Porter (NH) Saving America's Pollinators Act of 2018

36 co-sponsors.

H.R.5042 | Cartwright (PA)/ McGovern (MA)/Kuster (NH)/Welch (VT) Financing Energy Efficient Manufacturing Program at the DoE

To provide financial assistance to promote energy efficiency and onsite renewable technologies.

H.R.5069 | Welch (VT)/Kinzinger (IL), Establish Federal Smart Building Program

To implement smart building technology and demonstrate the costs and benefits of smart buildings.

H.R.5114 | Bonamici (OR)/McGovern (MA), Amend the Toxic Substances Control Act

To require the Administrator of the Environmental Protection Agency to take action to eliminate human exposure to asbestos, and for other purposes. Seven additional original co-sponsors.

H.R.5143 | Amash (MI)/Moulton (MA), Searchable Legislation Act of 2018

To require all bills, resolutions, and other documents of Congress to be created, transmitted, and published in searchable electronic formats, and for other purposes. 15 additional co-sponsors.

H.R.5212 | Welch (VT), Amend the Clean Air Act to reform the renewable fuel program.

H.R.5275 | Long (MO)/Kuster (NH), Amend CERCLA of 1980 to provide an exemption from certain notice requirements and penalties for air emissions from animal waste at farms. Kuster (NH) was one of the bill's 86 original co-sponsors.

H.R.5291 | Tsongas (MA)/Keating (MA), To establish an offshore wind career training grant program.

One additional original co-sponsor, Grijalva (AZ).

H.R.5321 | Moulton (MA), To Improve Communication from Federal Agencies to Individuals

A bill to improve communication from Federal agencies to individuals by requiring clear instructions, and for other purposes. Three co-sponsors.

H.R.5391 | Beyer (VA), Compensation of Federal Employees Furloughed During a Shutdown

97 original co-sponsors including: Shea-Porter (NH)/Cicilline (RI), Clark (MA)/Pingree (ME)/Lynch (MA)DeLauro (CT)/Kuster (NH)/Langevin/ McGovern (MA)/ Welch (VT)/Esty (CT).

H.R.5579 | Esty (CT)/DeLauro (CT)/Himes (CT)/Larson (CT), Amend the IRS Code of 1986 to Extend Expensing of Environmental Remediation Costs

Two additional original co-sponsors.

H.R.5606 | Shea-Porter (NH)/McGovern (MA)/Welch (VT), Authorize the NOA to establish a Climate Change Education Program

Seven additional original co-sponsors.

H.R.5609 | Ellison (MN)/Capuano (MA)/McGovern (MA)/Welch (VT)/Shea-Porter (NH), To establish a trust fund to provide for adequate funding for water and sewer infrastructure

32 additional original co-sponsors.

H.R.5610 | Knight (CA)/Welch (VT), BEST Act of 2018

Amend the US Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the DOE relating to energy storage and to carry out certain demonstration projects. 13 additional co-sponsors.

H.R.5669 | Velazquez (NY)/Shea-Porter (NH)/ McGovern (MA), Amend the IRS Code of 1986 and the Small Business Act to reduce costs for certain businesses required to relocate from a Superfund site.

14 additional original co-sponsors.

H.R.5904 | Chabot (OH)/Cicilline (RI)/ Goodlatte (VA)/Nadler (NY)/ Marino (PA)/Handel (GA) NOPEC

To amend the Sherman Act to make oil-producing and exporting cartels illegal

H.R.5959 | Mullin (OK)/Larson (CT), To promote national security and jobs through the use of natural gas to fuel heavy-duty trucks and fleet vehicles

H.R.6260 | Castro (TX)/ McGovern (MA)/ Capuano (MA)/, Ensure Members of Congress have access to Federal facilities in order to exercise their Constitutional oversight responsibilities

27 additional original co-sponsors.

H.R.6274 | Welch (VT) To amend IRS Code of 1986 to extend tax credits related to electric cars

H.R.6538 | Welch (VT), To authorize long-term contracts for Federal purchases of energy.

H.R.6566 | Courtney (CT), To amend title 38, United States Code, to remove the manifestation period required for the presumptions of service connection for chloracne, porphyria cutanea tarda, and acute and subacute peripheral neuropathy associated with exposure to certain herbicide agents.

H.R.6653 | Esty (CT)/Comstock (VA)/Cicilline (RI), Encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure systems.

H.R.6658 | Engel (NY)/Welch (VT), To amend the Internal Revenue Code of 1986 to deny certain tax benefits to persons responsible for the discharge of oil or other hazardous substances into navigable waters of the United States.

H.R.6819 | McKinley (WV)/Welch (VT), To establish a worker adjustment assistance program to provide assistance and job retraining for workers who have lost their jobs due to unplanned closures of coal and coal dependent industries, and for other purposes.

H.R.6833 | McNerney (CA)/Jayapal (WA)/McGovern (MA)/Cartwright (PA)/Peters (CA)/Davis (CA)/Barragan (CA)/Barragan (CA)/Lofgren (CA)/Huffman (CA)/Soto (FL)/Takano (CA)/Grijalva (AZ)/Larsen (WA)/Norton (DC-At Large)/Rush (IL)/Connolly (VA)/Moore (WI)/Lee (CA)/Keating (MA)/Wilson (FL)/Higgins (NY)/Tonko (NY)/Jackson (TX)/Quigley (IL), To provide support to develop career and technical education programs of study and facilities in the areas of renewable energy.

H.R.6880 | Eshoo (CA)/McEachin (VA)/Norton (DC)/Gutierrez (IL)/Raskin (MD)/Delaney (MD)/Blumenauer (OR)/Johnson (GA)/Evans (PA)/Hastings (FL)/Napolitano (CA)/Carson (IN)/Clarke (NY)/Cohen (TN)/Veasey (TX)/Shea-Porter (NH)/Khanna (CA)/Velazquez (NY)/Moulton (MA)/Payne (NJ)/DeSaulnier (CA)/Lieu (CA)/Beatty (OH)/Brown (MD), Treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment.

H.R.6885 | Grijalva (AZ)/Lynch (MA)/Speier (CA)/Moulton (MA)/Boyle (PA)/Roybal-Allard (CA)/Napolitano (CA)/Quigley (IL)/Blumenauer (OR)/DelBene (WA)/Tsongas (MA)/Lowenthal (CA)/Cartwright (PA)/Clark (MA)/Lofgren, (CA)/Gutierrez (IL)/Lieu (CA)/Brownley (CA)/Davis (CA)/Pocan (WI)/Beyer (VA)/Heck (WA), Amend the Endangered Species Act of 1973 to prohibit import and export of any species listed or proposed to be listed under such Act as a threatened species or endangered species.

H.R.6949 | Kinzinger (IL)/Welch (VT)/McKinley (WV)/Tonko (NY), Amend the Energy Policy and Conservation Act to establish the CHP Technical Assistance Partnership Program

H.R.6951 | Lawrence (WA), Amend the Safe Drinking Water Act to address lead contamination in school drinking water.  
A stunning 48 original co-sponsors (too many to list). New England delegation members included: DeLauro (CT) and Moulton (MA).

Regards,

Paul

617.918.1514

EPA Region 1

